



## CITY OF LACKAWANNA DEPARTMENT OF DEVELOPMENT

714 Ridge Road – Room 309  
Lackawanna, NY 14218  
Tel: (716) 827-6474 Fax: (716) 827-1866



### City of Lackawanna Criteria for a Use Variance

**(All applicants must answer questions below when a Use Variance is sought)**

The Zoning Board of Appeals may not grant a Use without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the board of appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:

- (1) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
- (2) the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
- (3) the requested use variance, if granted, will not alter the essential character of the neighborhood; and
- (4) the alleged hardship has not been self-created.

In order to establish the above please complete the questions below (Please feel free to use additional pages, and pictures, if necessary):

Property Address \_\_\_\_\_

1. What facts support that the applicant cannot realize a reasonable return ?

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2. Why should the ZBA determine the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood?

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3. Will the use variance, if granted, alter the essential character of the neighborhood ?

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4. Will the proposed area variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

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5. Is the alleged hardship self-created?

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Sign Application and Print Name Below